



Via Express Mail No. EL704725772US

Attorney Docket No. 97RSS561RE
Akin Gump No. 044368.0461

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Reissue Application No.	09/771,010	:	
Filed:	April 16, 1996		:	Group Art Unit: 2782
Patent No.:	5,864,714		:	
Granted:	January 26, 1999		:	
Inventors:	Tal, et al.		:	
Title:	COMMUNICATION SYSTEM WHICH DYNAMICALLY SWITCHES SIZES OF SAMPLE BUFFER BETWEEN FIRST SIZE FOR QUICK RESPONSE TIME AND SECOND SIZE FOR ROBUSTNESS TO INTERRUPT LATENCY		:	Attorney Docket No. 97RSS561RE

**STATEMENT UNDER 37 CFR 3.73(b) ESTABLISHING
RIGHT OF ASSIGNEE TO TAKE ACTION IN REISSUE APPLICATION**

The undersigned states he is authorized to sign this document on behalf of the assignee, Conexant Systems, Inc., that the evidentiary documents relating to the assignment of the above application have been reviewed, and that he certifies, to the best of assignee's knowledge and belief, that the entire right, title and interest to the above patent is in assignee by virtue of an assignment from Comsys Communication and Signal Processing, Ltd. to Conexant Systems, Inc. recorded in the U.S. Patent and Trademark Office on November 3, 1998, a copy of which is attached hereto for the Examiner's convenience.

Conexant, assignee of U.S. Patent No. 5,864,714 consents to the filing of the above noted reissue application, filed herewith, for the reissue of U.S. Patent No. 5,864,714.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Conexant Systems, Inc.
(Assignee)

Name of declarant: Daniel M. Yannuzzi

VP, Chief IP Counsel

Title of declarant authorized to sign on behalf of Assignee



Attorney Docket No. 97RSS561RE

DECLARATION AND POWER OF ATTORNEY BY INVENTOR
(Reissue Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed in **patent number 5,864,714, granted January 26, 1999**, and for which a reissue patent is sought on the invention entitled:

COMMUNICATION SYSTEM WHICH DYNAMICALLY SWITCHES SIZES OF SAMPLE BUFFER BETWEEN FIRST SIZE FOR QUICK RESPONSE TIME AND SECOND SIZE FOR ROBUSTNESS TO INTERRUPT LATENCY

the specification of which was filed on April 16, 1996 as U.S. patent application No. 08/632,931.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

FOREIGN PRIORITY APPLICATION(S)

			<u>Priority Claimed</u>
<u>None</u>			<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/month/year filed)</u>	

I verily believe the original patent to be wholly or partially inoperative or invalid, by reason of the patentee claiming more or less than he had the right to claim in the patent. At least one excess or insufficiency in the original claims involves unduly narrow reference the balance between response time and system latency.

Applicant discovered that the claims of the issued patent do not adequately cover articles of manufacture. Applicant hereby indicates her intent to broaden the claims in this reissue application.

All errors sought to be corrected in this reissue application up to the time of filing this declaration arose without any deceptive intention on my part or on the part of the applicant.

And I hereby appoint the registered attorneys and agents associated with Akin, Gump, Strauss, Hauer & Feld, L.L.P., Customer No. 000570, as my attorneys or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence to **Customer No. 020790, namely, Akin, Gump, Strauss, Hauer & Feld, L.L.P.**, Frost Bank Plaza, 816 Congress, Suite 1900, Austin, Texas 78701. Please direct all communications and telephone calls to **Russell C. Scott** at (512) 499-6200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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